

NATURAL RESOURCES COMMISSION

Meeting Minutes

April 9, 2008

Pursuant to the notice filed with the Town Clerk, the meeting of the Natural Resources Commission was held at 141 Keyes Road, Concord, MA at 4:30 p.m. on Wednesday, April 9, 2008. The following Commissioners were present: Montgomery Lovejoy, Chair, Jamie Bemis, Steve Verrill and George Lewis. Delia Kaye, Natural Resources Administrator, Katie Holden, Natural Resources Assistant to the Administrator, and Cynthia L. Gray, Natural Resources Administrative Assistant (departed at 5:15 p.m.), were also present.

CLOSE HEARING/ISSUE PERMITS:

CONCORD HOUSING TRUST, INC. / NOI – 335 Walden Street, DEP File #137-965
Peter Farrow of the Concord Housing Trust, Inc. appeared together with Scott Smyers of Oxbow Associates. Delia Kaye reported that Gordon Bell, after reviewing the proposed conservation restriction, suggests a straight line be established between the Housing and Open Space properties. This will make surveying and marking the property bounds easier. The revised CR line was sketched by Scott Smyers on the plan at this afternoon's hearing. Keith Lincoln of Chappelle Engineering Associates will provide Stamski & McNary with the approved retention basin design. Keith Lincoln will also provide DNR staff with a breakdown of the flood plain calculations. The issuance of the Order of Conditions on Friday, April 11, 2008 will be contingent upon this information being submitted to Division of Natural Resources (DNR) staff by tomorrow. The Commission again requested that the Applicant see that the property owner remove the farm equipment and other debris from the rear of the open space parcel. Peter Farrow agreed to make his best efforts to see that this is accomplished.

Peter Farrow stated he does not feel there should be public access from Walden Street due to the proximity of the access to proposed housing units. He stated he is comfortable with the CCHS track team using this area for access because there would be only limited times they would come through, but full public access could mean hordes of people at all times of the day. The Commission stated this type of concern has never been an issue on existing public access ways, and that there would be no signage. Peter stated that since there is town land adjacent to the property in the rear that the issue is really the convenience of the public access. The Commission pointed out there is no trail to this land and if a trail was created to connect to an existing trail at the Town Forest, there would be a very long walk to access this area from the parking lot. Peter noted that the Planning Board did not recommend public access from Walden Street. Peter noted the separate equipment access shown on the survey plan. The Commission again pointed out the intended use of CPA funds for public benefit and their recommendation for public access from Walden Street. Monty Lovejoy stated he would be attending the Zoning Board of Appeals hearing to present the Commission's recommendation for public access.

Jane Cullinane, 58 Anson Road, stated her enthusiasm for an affordable housing project in Concord.

George Lewis moved to close the hearing. Steve Verrill seconded. All so voted. Jamie Bemis moved to approve Findings A through E. Steve Verrill seconded. All so voted. George Lewis moved to issue a standard Order of Conditions with Special Conditions 19 through 55 contingent upon DNR staff receiving the flood plain calculations. Jamie Bemis seconded. All so voted.

OTHER BUSINESS:

Town Meeting Article #28 – Better BFRT in Concord

A report from the Concord Greenway Alliance can be found on the Town's website in which the Alliance notes drawbacks of the existing 25% design. The environmental issue in the report noted the appeal of the wetland delineation. Steve Verrill stated his opinion of the Commission taking no position. George Lewis noted that the Commission voted to support Article 27 which speaks to the NRC's position and that Article 28 is outside of the Commission's realm; and he recommended no position on Article 28. Montgomery Lovejoy noted that the Commission was not required to take a position on Article 28 as the Commission has already noted its support for Article 27, and he recommended no position on Article 28. Jamie Bemis suggested not supporting Article 28.

Steve Verrill moved that the Commission take no position on Warrant Article 28. George Lewis seconded. All so voted.

Town Meeting Article #29 – Access for all for the BFRT

Jamie Bemis noted that access is not an issue in the Commission's purview. The Commission agreed that the type of access is not a Commission issue, but the Commission would be asked for their recommendation for the type of surface. George Lewis and Steve Verrill suggested no position on Article 29. Jamie Bemis suggested support for Article 29. Montgomery Lovejoy discussed the Commission's support for Article 27 which supports a compromise of a paved surface in the more urban downtown area, and a more natural stabilized stone dust surface in sensitive areas. Monty also stated that the Commission would review this during the Notice of Intent process which would allow additional environmental studies to be completed. When the NOI is filed, the Commission would have the opportunity to fully review the different surface treatments and make an informed decision as to their potential impacts to wetland resource areas at that point.

George Lewis moved that the Commission take no position on Warrant Article 29 and to explain the NRC's position at Town Meeting. Steve Verrill seconded. All so voted.

Wetland bylaw

The Commission discussed handouts, articles, and how best to educate the public about the bylaw. The Commission discussed vernal pools, non-zoning bylaws, enforcement

costs, and a process chart for appeals. George Lewis will meet with Katie Holden to discuss a draft bylaw.

This meeting adjourned at 6:10 p.m.

Respectfully submitted

Delia R. J. Kaye, Natural Resources Administrator

Katie Holden, Assistant Natural Resources Administrator

Cynthia L. Gray, Natural Resources Administrative Assistant

